

DC Area Is Among Nation's Worst For Pedestrians

Andrea McCarren

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BETHESDA, Md. (WUSA) -- It's a potentially deadly combination. Distracted walkers, drivers on cell phones and even runners listening to music. That leads to 3000 pedestrian accidents every year in the area, including 90 fatalities.

9NEWS NOW has learned that from a legal standpoint, if you're a pedestrian, the Washington area is among the nation's worst places to be.

9NEWS NOW watched a jogger talking on her cell phone as she ran right into traffic.

"She was just inches from being hurt," said Chuck Casto, an onlooker. "I'm sure it would have knocked her over and caused significant damage."

Another woman texted her way through the crosswalk, pausing right in the middle of the intersection.

"I don't think a lot of the bikes and pedestrians realize that they have the stop sign in this situation," said Adrian Mulrone, a cyclist.

Morey Asgari was angry when two cars passed by his family as it waited in the crosswalk. He thought they had the right of way.

"These cars are supposed to stop when they see pedestrians are getting closer to the intersection," said Asgari. "But those two cars as you saw, they just passed by with the speed, same speed."

Again and again, 9NEWS NOW observed a cat and mouse game between joggers, pedestrians, and bikers on cell phones or listening to music, up against drivers with the sun in their eyes. And many of them, on cell phones too.

"It's scary because you're trying to cross and you're trying to keep your kids safe and pay attention," said parent Lisah Bernstein. "And you're thinking if they're on a cell phone, driving and seeing all this going on, they're probably not paying attention."


Even crossing Connecticut Avenue in Chevy Chase isn't easy, even in the crosswalk, even with its bright orange flags.

"Sometimes I do feel like a sitting duck, yes," said Steve Gantner.

But it's the Little Falls Parkway and Arlington Road intersection in Bethesda that troubles local parent and personal injury lawyer Michael Morgenstern.

"That is an accident waiting to happen," he said. In fact, Morgenstern believes if you're a pedestrian, the D.C. area is among the nation's worst, kind of a

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"If there is an accident, the pedestrian is going to have the burden to show, yes, I stepped into the crosswalk, but I gave the driver plenty of time to react and the driver did not react in time," said Morgenstern.

Only four states in the country, including Virginia and Maryland, along with the District of Columbia, have what's known as contributory negligence.

"If one of the parties is even 1% at fault, there's no compensation for either party," said Morgenstern.

In 45 other states, there's comparative negligence so if the pedestrian for example is 5% at fault and the driver is 95% at fault, there's still a recovery.

Written by Andrea McCarren
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